

**CITY OF UNION CITY
COUNTY OF HUDSON, STATE OF NEW JERSEY**

ORDINANCE

**AN ORDINANCE AMENDING CHAPTER 87 OF THE CODE OF THE CITY OF UNION CITY
ENTITLED "BRUSH, GRASS, WEEDS and TREES" AND
ARTICLE I ENTITLED "REMOVAL OF OBNOXIOUS GROWTH AND TRASH"**

WHEREAS, Chapter 87 of the Code of the City of Union City ("Code") entitled "Brush, Grass, Weeds and Trees" and Article I entitled "Removal of Obnoxious Growth and Trash," regulates and enforces the duties of owners and tenants associated with maintaining brush, grass, weeds and trees within the City of Union City ("City"); and

WHEREAS, currently the penalty for violation of this ordinance is \$75.00 per offense, but that penalty should be increased for repeated violations in order to provide additional consequences for failing to remove obnoxious growth and trash; and

WHEREAS, the Mayor and Commissioners believe that increased fines will provide additional incentive for owners and tenants to maintain their properties, including the removal of obnoxious growth and trash, within the City, for the health, safety and welfare of the residents of the City of Union City.

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of the City of Union City, County of Hudson, State of New Jersey that Chapter 87 entitled "Brush, Grass, Weeds and Trees" and Article I entitled "Removal of Obnoxious Growth and Trash" of the Code of the City of Union City shall amend Section 87-4, which is entitled "Violations and Penalties" to read as follows:

SECTION ONE

Section 87-4 entitled "Violations and Penalties" shall be amended to delete the following:

Any person who violates any provisions of this article shall be subject to a fine of \$75.

The following shall be substituted therefor:

Any person who violates any provision of this article shall be subject to the following violation schedule, per offense:

First Offense*	\$150.00
Second Offense	\$250.00
Third Offense or more	\$500.00

***Court appearance required, after the first offense and for all subsequent violations.**

SECTION TWO

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION THREE

Repealer. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION FOUR

This Ordinance shall take effect upon passage and publication as required by law.

Commissioners	Yea	Nay	Abstain/Present	Absent
Lucio P. Fernandez	X			
Tilo E. Rivas	X			
Celin J. Valdivia	X			
Maryury A. Martinetti	X			
Mayor Brian P. Stack	X			

I HEREBY CERTIFY this to be a true and correct Ordinance of the City of Union City Board of Commissioners, introduced on May 16, 2017 and was further considered after a Public Hearing held on June 7, 2017 at the Colin Powell Elementary School, 1500 New York Avenue, Union City , NJ at 7PM.

INTRODUCED: May 16, 2017

ADOPTED: June 7, 2017

ATTEST:


Erin Knoedler, Deputy City Clerk

June 7, 2017
DATE

Summary of Ordinance

This purpose of this ordinance is to amend the violation and penalties section of the Article entitled, "Removal of Obnoxious Growth and Trash" and create an increasing penalty scale for continued offenses.